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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by Pax Christi International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 April 1997]

The human rights situation in Cuba

Increase in repression

1. During 1996 and the beginning of 1997, repression by the Cuban authorities only increased. Some examples were:

(a) The reaction of the authorities to the convening of a meeting of Concilio Cubano, a non-violent coalition of more than 100 dissident groups: on 24 February 1996, hundreds of members of Concilio were harassed, intimidated and detained; the meeting was prohibited, two leaders are still imprisoned. The campaign against Concilio Cubano is a clear violation of the right of freedom of association and expression;

(b) On 25 February 1996, two civilian aeroplanes were shot down by the Cuban Air Force, without warning and above international territory. Four civilians were killed. The timing of this brutal murder - a day after the meeting of Concilio Cubano was scheduled to take place - suggests it was meant to distract international attention from the internal repression against Concilio Cubano;

(c) Since February 1996 State repression of the churches has increased, especially at grass-roots level. Schoolchildren are harassed for being Catholics. A Catholic priest in Havana has been directly threatened with the security of his parishioners if he continues to hold informal prayer services. In several different places security agents have visited priests saying the same phrase: "I am here to stop the growth of your church." Also, many Protestant churches suffer severe repression;

(d) During the first months of 1997, independent journalists, organized in APIC (Cuban Independent Press Agency), suffered increased repression. They were subjected to different kinds of humiliations, prolonged interrogations, forced to abandon their homes, were beaten and smashed down. This was evidently part of a government strategy to break down the independent press movement in Cuba.

Political prisoners

2. The situation of at least 1,300 political prisoners (this is the number of registered political prisoners according to internal dissident groups) remains desperate. Prisoners are psychologically tortured, brutally beaten and sometimes threatened with death. In general, prisoners suffer from a chronic lack of food, medical assistance and medicines, which have serious consequences for their health.

New strategy of repression against well-known dissidents

3. The strategy of repression against internationally known dissidents seems to have changed. While in the past one could be imprisoned for years, nowadays you are intimidated in a more subtle, but nonetheless still in a systematic way. Instead of years of imprisonment, dissidents are now usually detained for shorter periods. Detainees are subjected to prolonged interrogations. Dissidents used to receive phone calls (by phone machines calling every 20 minutes, 24 hours a day, or by officials presumably of State security expressing vulgar insinuations), their children are socially isolated, family members and friends are intimidated so that they will break all contact with them. In many cases, well-known dissidents have been forced into exile under the threat of arrest and trial. However, for lesser-known dissidents nothing has changed. Under the pretext of "economic crimes" they can still be imprisoned for years.

No legislation for independent groups

4. The Cuban authorities continue to systematically ignore applications by independent groups to be legalized. For example, the Christian Liberation Movement (Movimiento Cristiano de Liberación) has complied with all the necessary steps for legislation, according to the Cuban Constitution. However, the Movement only meets harassment from the authorities and total silence concerning their request for legislation The authorities, by doing so, condemn the Movement to act clandestinely which makes them vulnerable to persecution. This happens to all independent organizations that request legislation.

Recommendations

5. The international debate on the (illegal) Title III of the United States Helms/Burton Act is limited only to business interests of the United States and the European Union and distracts the attention from human rights violations in Cuba itself. The international community, including the United States and the European Union, should coordinate and increase pressure on the Cuban authorities to improve its human rights record.

6. Since foreign investment have the effect of subsidizing the totalitarian State, the United Nations, the United States of America, Latin America and the European Union should cooperate in establishing a code of conduct - in accordance with the Organization for Economic Cooperation and Development and International Labour Organization standards - for investors in Cuba. This code should at least include (1) the right of workers to organize themselves independently in trade unions; (2) the right of workers to be contracted directly by the company and not through State agencies; and (3) the right of workers to be paid directly by the company and not through the State which currently receives the salaries for the workers in dollars but pays them in worthless Cuban pesos at the official rate.

7. It should be permissible for any visitor to Cuba, whether they are representing Governments, non-governmental organizations or foreign companies, to be able to establish contact not only with the Government but also with the independent dissident movement.

8. Pax Christi supports the so-called "Appeal from Havana" signed on 10 December in Havana by 40 independent Cuban organizations. We recommend that the Commission on Human Rights support this appeal publicly and urge the Cuban authorities to comply with the following nine points of the appeal:

1. Legalize pro-democracy and human rights organizations that develop their activities independently of the authorities.

2. Announce an immediate and unconditional amnesty for all those who are imprisoned for political reasons.

3. Eliminate the provisions of the Cuban Penal Code that are contrary to those of the Universal Declaration of Human Rights, such as those concerning assembly, association and illicit manifestation, enemy propaganda, distribution of false news, clandestine publications, non-violent rebellion, illegal departure from the national territory and others that contravene the mentioned standards. Also, the death penalty should be abolished.

4. Ratify the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and sign the Optional Protocol of the latter.

5. Ratify the Geneva Conventions of 12 August 1949.

6. Integrate the Universal Declaration of Human Rights in the current Constitution.

7. Re-establish the Tribunal of Constitutional and Social Guarantees.

8. Permit the United Nations Special Rapporteur on Cuba to enter Cuban national territory so that he can comply with his mandate.

9. Demilitarize Cuban society.